

United States District Court

MIDDLE

District of

TENNESSEE

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

Case Number: 3:12-00184-02

EZEQUIEL RICO-MENDEZ

USM Number: 21364-075

Thomas J. Drake

Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to Counts Three and Eleven of the Superseding Indictment
pleaded nolo contendere to count(s) _____
which was accepted by the court.
was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 U.S.C. § 1028(a)(3)	Possession with Intent to Transfer Identification Documents	September 24, 2012	3
18 U.S.C. § 911	False Claim of United States Citizenship	May 17, 2011	11

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

X Counts One, Two, Four, and Twelve of the Superseding Indictment are dismissed on the motion of the United States.

It is ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the Court and United States Attorney of material changes in economic circumstances.

October 11, 2013

Date of Imposition of Judgment

Kevin H. Sharp

Signature of Judge

Kevin H. Sharp, United States District Judge

Name and Title of Judge

October 30, 2013

Date

DEFENDANT: EZEQUIEL RICO-MENDEZ
CASE NUMBER: 3:12-00184-02

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 18 months.

 X The court makes the following recommendations to the Bureau of Prisons:

The Court recommends that Defendant be incarcerated at a federal correctional facility as close as possible to Nashville, Tennessee, subject to his security classification and the availability of space at the institution.

 X The defendant is remanded to the custody of the United States Marshal.

 The defendant shall surrender to the United States Marshal for this district:

 at a.m. p.m. on

 as notified by the United States Marshal.

 The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

 before 2 p.m. on .

 as notified by the United States Marshal.

 as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: EZEQUIEL RICO-MENDEZ
CASE NUMBER: 3:12-00184-02

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall not be placed on a term of supervised release, as a term of supervised release is not required by statute and the defendant is a deportable alien who likely will be deported after imprisonment.

DEFENDANT: EZEQUIEL RICO-MENDEZ
CASE NUMBER: 3:12-00184-02

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on the attached sheet.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$200.00	\$	\$

_____ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

_____ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(I), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	\$ _____
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_____ Restitution amount ordered pursuant to plea agreement \$ _____

_____ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments sheet may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

_____ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

_____ the interest requirement is waived for the _____ fine _____ restitution, as long as Defendant remains in compliance with the payment schedule..

_____ the interest requirement for the _____ fine _____ restitution is modified as follows:

*Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: EZEQUIEL RICO-MENDEZ
CASE NUMBER: 3:12-00184-02

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A X Lump sum payment of \$ 200 (Special Assessment) due immediately, balance due
_____ not later than _____, or
_____ in accordance _____ C, _____ D, _____ E, or _____ F below; or
- B _____ Payment to begin immediately (may be combined with _____ C, _____ D, or _____ F below); or
- C _____ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D _____ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E _____ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F _____ Special instructions regarding the payment of criminal monetary penalties:

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

_____ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

_____ The defendant shall pay the cost of prosecution.

_____ The defendant shall pay the following court cost(s):

_____ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including the cost of prosecution and court costs.